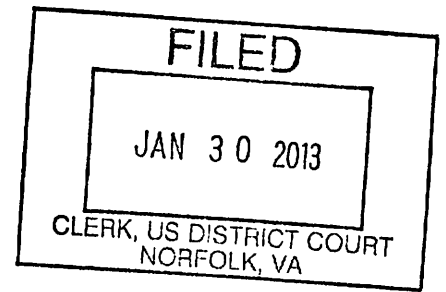


UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Newport News Division



JOE HAND PROMOTIONS, INC.,

Plaintiff,

v.

ACTION NO. 4:12cv64

THE WING SPOT CHICKEN &
WAFFLES, INC.,

Defendant.

FINAL ORDER

This matter comes before the court on plaintiff's Motion for Default Judgment against defendant The Wing Spot Chicken & Waffles, Inc. (ECF No. 12), filed on October 9, 2012. The matter was referred to a United States Magistrate Judge by Order of October 26, 2012, pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b), to conduct hearings, including evidentiary hearings, if necessary, and to submit to the undersigned proposed findings of fact, if applicable, and recommendations for the disposition of the motion.

The United States Magistrate Judge's Report and Recommendation was filed on January 9, 2013. The magistrate judge recommended granting plaintiff's Motion for Default Judgment against defendant, The Wing Spot Chicken & Waffles, Inc., and an award of damages.

By copy of the report and recommendation of the magistrate judge, the parties were advised of their right to file written

objections thereto. The court has received no objections to the magistrate judge's report and recommendation, and the time for filing same has expired. The court does hereby adopt and approve in full the findings and recommendations set forth in the Report and Recommendation of the United States Magistrate Judge filed January 9, 2013. Accordingly, the plaintiff's Motion for Default Judgment against The Wing Spot Chicken & Waffles, Inc. is **GRANTED**. The plaintiff is **AWARDED** statutory damages in the amount of \$4,000.00; additional damages for defendant's willful action in the amount of \$27,000.00; attorneys fees in the amount of \$1,500.00; and court costs in the amount of \$500.00. The court further **ORDERS** that Count III of the plaintiff's Complaint be **DISMISSED**. The Clerk shall enter judgment for the plaintiff to this effect.

The Clerk shall forward a copy of this Final Order to all parties of record.

It is so **ORDERED**.

/s/
Rebecca Beach Smith
Chief
United States District Judge *RBS*

REBECCA BEACH SMITH
CHIEF UNITED STATES DISTRICT JUDGE

Newport News, Virginia

January 30, 2013